

REMARKS

The Office Action of January 4, 2011 has been carefully considered.

It is noted that claims 11-20 are rejected under 35 USC 103(a) over the patent to Mistrachi in view of the patent to Naud.

Claims 21-23 are rejected under 35 U.S.C. 103(a) over Mistrachi in view of Naud, and further in view of the patent to Hughes.

In view of the Examiner's rejections of the claims, applicant has amended claim 11

It is respectfully submitted that the claims now on file differ essentially and in an unobvious, highly advantageous manner from the methods disclosed in the references.

Turning now to the references, and particularly to the patent to Mistrachi, it can be seen that this patent discloses a

wire rope with reverse jacketed IWRC.

The patent to Naud discloses a swaged wire rope and method of manufacture.

The Examiner combined these references in determining that claims 11-20 would be unpatentable over such a combination. Applicant submits that the combination of references does not teach the presently claimed invention. To begin with, Mistrachi does not teach pressing the outer strand into the plastic material during stranding. Column 3, lines 23-28 of Mistrachi discloses that the outer layer is pressed onto the nylon jacket so that the nylon from the jacket penetrates between the interstices of the outer strands. However, there is no teaching that the pressing in of the outer strands occurs simultaneously with stranding.

In Mistrachi, the process of how the outer strand is pressed into the plastic material is of lesser importance and is not described in any detail. The prior art is relied on by Mistrachi for teaching how to do this (see column 2, lines 13-19). This prior art includes the patent to Chiapetta previously cited by

the Examiner during prosecution of the present application, wherein the outer layer is pressed into the plastic after the stranding is completed by a cold deformation process. Misrachi also refers to his own prior patent US 5,386,683, which the outer strand layer is embedded in the plastic by a filler material introduced between the intermediate layer and the outer strand layer (see column 1, line 56 - column 2, line 6 of Misrachi '683). From this prior art it is clear that Misrachi '957 teaches pressing the outer strand layer into the plastic after the stranding is finished. Thus, there is no teaching or suggestion by Misrachi of pressing the outer strand layer into the plastic during stranding, as in the presently claimed invention.

Furthermore, Misrachi does not teach deforming the outer strand by hammering, nor is there any teaching of stranding so that the plastic material does not have any room to escape during hammering, as in the presently claimed invention. Naud only deals with steel wires and provides no teaching concerning a wire that contains plastic. Thus, Naud would not teach to one of ordinary skill in the art that it would be obvious to hammer an outer strand layer into a plastic intermediate layer after

stranding has occurred.

Also, Naud does not provide any suggestion for a process in which the outer strand layer is pressed into a plastic layer during stranding so that the position of the strand in the plastic layer cannot change during subsequent hammering. In fact, Naud teaches away from the presently claimed invention. In column 1, line 7, Naud refers to US Patent No. 3,457,718 to Otto in describing a method for producing a wire rope with wires stranded around a plastic core. As is evident from Figs. 1 and 2 of Otto, the plastic core 13 of the rope is severely deformed by swaging. Thus, one skilled in the relevant art would understand from the teachings of Naud and Otto that during hammering of ropes that contain plastic, the plastic is greatly deformed, which is contrary to the present invention.

Thus, applicant submits that a combination of Naud and Misrachi does not teach the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 11-23 under 35 USC 103 A) over a combination of the above discussed references is overcome


and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 02-2275.

Respectfully submitted,  
LUCAS & MERCANTI, LLP

By:

  
Klaus P. Stoffel Reg. No. 31668  
475 Park Avenue South  
New York, N.Y. 10016  
(212) 661 8000  
Attorney for Applicant

Dated: April 4, 2011

**CERTIFICATION OF EFS-WEB TRANSMISSION**

I hereby certify that this paper is being EFS-Web transmitted to the U.S. Patent and Trademark Office, Alexandria, VA 22313-1450, on April 4, 2011.

April 4, 2011

  
Klaus P. Stoffel